



County of Bernalillo

State of New Mexico

County Manager's Office

One Civic Plaza, NW, 10th Floor, Suite 10111

Albuquerque, New Mexico 87102

Office: (505) 468-7000 Fax: (505) 462-9813

www.bernillo.gov/county-managers-office/

COMMISSIONERS

Maggie Hart Stebbins, Chair
District 3

Art De La Cruz, Vice Chair
District 2

Debbie O'Malley, Member
District 1

Lonnie C. Talbert, Member
District 4

Wayne A. Johnson, Member
District 5

COUNTY MANAGER

Tom Zdunek

ELECTED OFFICIALS

Tanya R. Giddings
Assessor

Maggie Toulouse Oliver
Clerk

Willow Misty Parks
Probate Judge

Manuel Gonzales III
Sheriff

Manny Ortiz
Treasurer

April 21, 2015

Dear Nonprofit Organization:

Bernalillo County is reaching out in an effort to educate Nonprofit Organizations (NPOs) on important procedural requirements involving their efforts to secure capital outlay funding from the New Mexico Legislature (NMSL) at the 52nd Legislature, 2nd Session, which begins in January 2016, and future legislative sessions. Capital outlay funding refers to "bricks and mortar" projects with a lifespan of ten (10) years or greater and does not refer to an agency's operational funding. NPOs' efforts to secure capital outlay funding from the State Legislature for construction projects or equipment purchases invariably involves a local government entity, such as Bernalillo County or the City of Albuquerque. The State of New Mexico will only award these capital outlay appropriations when a NPO has a local government sponsoring entity that agrees to be the fiscal agent, in a formalized contract, to accept and administer capital outlay funding on behalf of the organization. The State also requires that any appropriation to a NPO be on a local government's Infrastructure Capital Improvement Plan (ICIP), which the Bernalillo County Board of County Commissioners adopts annually in late August. The possibility of the County agreeing to sponsor your request will be decided in August 2015 in time for inclusion in the County's next ICIP.

It is important to understand that Bernalillo County incurs financial, administrative, procurement, and legal liabilities and responsibilities on behalf of NPOs when public monies are accepted for nonprofit projects. It is also critical to understand that projects that receive only partial funding or are otherwise unable to be started quickly may be rejected by the Governor.

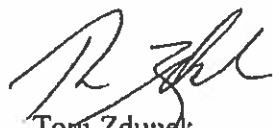
Bernalillo County will be organizing a comprehensive workshop on May 21, 2015, 9:00 am – 12:00 pm, in the Vincent Griego Chambers at One Civic Plaza NW, to explain the State's and County's administrative requirements that are necessary for capital outlay appropriations before, during, and after a legislative session. Compliance with these requirements is necessary for transparency, adherence to the State's Anti-Donation clause, and to ensure that public tax dollars are spent as intended resulting in successful projects. Attendance will be mandatory if your organization intends to pursue capital outlay funding during the 2016 legislative session with the anticipation that Bernalillo County will be the fiscal agent.

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In the meantime, Bernalillo County asks you to review, complete, sign, and return the enclosed form and supporting documentation no later than July 30, 2015 in preparation for the 2016 legislative session. Please follow all instructions. Should you have any questions, please contact Legislative Coordinator Mary Salazar at 505-468-1355 or msalazar@bernco.gov.

Bernalillo County appreciates the work and community services provided by NPOs, particularly the work of organizations with whom we have a partnership and whose work is an extension of services provided by the County. Your work is important so please help us help you. We are continually striving to provide and improve services, and improved communications with NPOs advances this effort. Thank you for your attention to this important matter.

Sincerely,



Tom Zdunek
County Manager

Enclosures

Cc: Board of County Commissioners
Maggie Hart Stebbins, Chair
Art De La Cruz, Vice Chair
Debbie O'Malley, Member, District 1
Lonnie Talbert, Member, District 4
Wayne Johnson, Member, District 5
Vince Murphy, Deputy County Manager, Community Services
Shoats and Weak, Inc.
Mary Salazar, Legislative Coordinator



**Bernalillo County and Nonprofit Organization (NPO)
Legislative and Capital Outlay Coordination Form
2016 Legislative Session**

This form is required if your organization intends to pursue capital outlay funding from the 2016 New Mexico State Legislature that is to be administered on your behalf by Bernalillo County. See page 3 for important considerations before completing this form.

Please complete this form and submit it to the Office of the County Manager, Bernalillo County, ATTN: Mary Salazar, Legislative Coordinator, One Civic Plaza NW, Room 10111, Albuquerque, NM 87102, or manager@bernco.gov, by July 30, 2015.

Basic Information

Organization Name: _____

Address: _____

City/State/Zip: _____

Primary Contact Name: _____

Primary Contact Title: _____

Phone Number: _____ E-mail: _____

Mission/Purpose/Service Provided: _____

Clientele Served: _____

Organization's Past Record of Working with Bernalillo County: _____



Current Agreement with Bernalillo County? Yes ☐ No ☐ Expiration Date: _____

2016 Capital Outlay Request

Amount: \$ _____

Project Description and Purpose (legislative language request) : _____

Does capital project have a master plan or cost estimate? Yes ☐ No ☐

Please attach all supporting documentation

Nonprofit Legislative Lobbyist Name and Contact Info: _____

Legislative Representative and/or Senate Contacts: _____

Organization Signature: _____ Date: _____

Deputy County Manager Signature: _____ Date: _____

County Manager Signature: _____ Date: _____

For County Use Only

Consistent with County Strategic Plan: Yes ☐ No ☐

If yes, check applicable category/s: Government Accountability ☐ Public Safety ☐

Public Infrastructure ☐ Community Health ☐ Economic Vitality ☐

County department to administer funds: _____

County department point of contact: _____

Revised or new agreement needed: _____

County ICIP Project No. (project must be included on the BC ICIP): _____



CAPITAL OUTLAY COORDINATION FORM: OVERVIEW

When asking for capital outlay funding from the State of New Mexico and considering Bernalillo County to be the fiscal agent, Nonprofit Organizations (NPO) must consider the following:

1. Is the capital outlay funding request consistent with the NPO's goals and plans?
2. What is the status, or "readiness" level, of the NPO's capital project?
3. Are the funding request and the NPO's project conducive to phased implementation?
4. Is Bernalillo County the most appropriate local government fiscal agent to sponsor the funding request and then receive and administer the funding?
5. Does the capital outlay request fit within Bernalillo County's Strategic Plan?
6. Who are likely sponsors in the Senate and House of Representatives?
7. What lobbying resource(s) does the NPO intend to use? Bernalillo County lobbyists will not lobby on behalf of NPO.

Questions that Bernalillo County Management will ask itself when considering a request from a NPO to be its fiscal agent:

- a. What impact would implementing the project on behalf of the NPO have on Bernalillo County's operational budget and personnel resources (e.g. maintaining a facility) if funding is awarded?
- b. What Bernalillo County department would serve as the liaison/point-of-contact to manage the necessary agreement between Bernalillo County and the NPO, and ensure proper project management and implementation?
- c. Is the project included on the County's ICIP (Infrastructure and Capital Improvement Plan)?

In order for a NPO to receive capital outlay funding for its facility, the State Board of Finance requires that Bernalillo County own the land and or facility for which the capital outlay is to be used. This requirement exists so that the State of New Mexico Anti-Donation Clause is not violated.

Capital outlay appropriation language needs to be very specific. For example, don't expect to be able to buy land for a facility if the appropriation language does not include "purchase land". Commonly used words/phrases in capital outlay requests include:

- "Purchase land...."
- "Purchase building...."
- "Demolish existing building...."
- "Redevelop"
- "Design"
- "Construct"
- "Equip"
- "Furnish"

The appropriation language needs to match what needs to be done with the capital outlay funding.

